

*Washington, DC* - Congressman Maurice Hinchey (D-NY) this week made a strong appeal to New York City Department of Environmental Protection (DEP) Commissioner Emily Lloyd, urging her to take immediate action to relieve the enormous burden that leaks from the Delaware Aqueduct are causing for residents of Wawarsing, New York.

The Delaware Aqueduct System, also known as the Rondout-West Branch (RWB) Tunnel, supplies more than half of the water supply to the more than 8 million residents of New York City. Approximately 30 million gallons of water per day are leaking from the aqueduct and being pressured upward through the ground into people's homes and drinking wells. The results has been a contaminated water supply and the need for residents to run pumps around the clock to rid their homes of water.

The following is the full text of the letter Hinchey sent to DEP Commissioner Lloyd:

July 7, 2008

Emily Lloyd, Commissioner

NYC Department of Environmental Protection

59-17 Junction Boulevard

Flushing, New York 11373

Dear Commissioner Lloyd:

I am writing to express my concern regarding the grave circumstances that the leaking Delaware Aqueduct is creating for my constituents in the town of Wawarsing. Although I am aware of your recent efforts to address the matter through study and planning endeavors, my constituency remains burdened by the impact of excessive water in their homes with little hope for any immediate or substantial relief being offered by the Department of Environmental Protection (DEP).

According to the August 2007 Audit Report issued by New York State Comptroller Thomas DiNapoli, the DEP has been aware that the Delaware Aqueduct System, also referred to as the Rondout-West Branch Tunnel (RWB tunnel), has been leaking since 1988. Furthermore, the rate of leakage while operating at full flow has increased from approximately 15 million gallons to approximately 30 million gallons per day in the ensuing years. Comptroller DiNapoli's report also indicated that the DEP did not effectively monitor the extent and nature of the leaks nor did they adhere to the schedule of tests as recommended by their own consultant. As a result, your agency does not currently have sufficient data to assess the scope of the leaks or the condition of the tunnel. In light of the length of time that the DEP has been aware of this matter, I find this conclusion to be very troubling.

As I understand the logistics, the RWB tunnel supplies more than 50% of the water supply for New York City's 8 million residents. Therefore, without an alternative delivery system, shut down of the tunnel for an extended time is highly problematic if not outright impossible. That being said, I appreciate your current efforts to prioritize the RWB tunnel and I want to assure you that I am cognizant of the complexity of the issues that the DEP must consider as they move forward. However, I firmly believe that more aggressive action to assist the families in Wawarsing must be undertaken.

As your agency's first step, the increased outreach to area residents should have been viewed as a positive indication of your good faith intention to address their concerns. Regrettably, even during this outreach it is evident that your agency is unwilling to admit, to any great extent, that they are liable for the presence of water in the Wawarsing community. I find this to be evasive as well as counterproductive to the situation at hand. As shown by the recent partial shut-down of the RWB tunnel, water levels at the homes being monitored dropped in all but one case. Taking this into consideration along with the Comptroller's report outlining the existence of the leak, lends strong credence to the fact that substantial responsibility for the presence of water lies with the DEP.

Flooding is considered to be cyclical and related to transient weather conditions. However, for Wawarsing homeowners, external weather conditions only serve to exacerbate the year round flooding that takes place as changes in the conditions of the watershed and flow rate occur. Notably, after the recent shut down a sampling of water quality taken by the Ulster County Health Department at homes in the Lippman Park area were found to be contaminated with E.coli. Many speculate that the sudden decrease and subsequent increase in tunnel pressure added additional water to the already laden soil and impacted area septic systems and thus, area wells. As a result, the residents must now add the cost of buying water to that of maintaining other ongoing mitigation efforts.

I believe that the DEP should bear the burden of protecting these homeowners as they move forward to study the issue of the RWB tunnel repair and/or replacement. As such, action should be taken to secure Wawarsing homeowners water supply with the acquisition, at DEP expense, of appropriate filtration systems for all homeowners who have documented water quality degradation. I also ask that the DEP establish a fund, adequate to sustain the claims of Wawarsing residents, for the expenses related to on- going mitigation such as excessive electric bills caused by the continuous running of sump pumps and generators. Asking that they file claims with the city Comptroller adds another undo burden to these already stressed residents.

It is incumbent upon the DEP to do everything possible to ensure not only the safety of the New York City water supply, but also to act as a good neighbor in the communities that facilitate the largest unfiltered water supply in the nation. Wawarsing homeowners should not be asked to bear the burden of DEP's failure to act on this matter for the last 20 years. I am confident that you will make every effort to offer more substantial and direct assistance to my Wawarsing constituents.

Thank you for your attention to this critically important matter. Please don't hesitate to contact my Kingston district office if I can be of any assistance.

Best regards.

Sincerely,

Thursday, 10 July 2008 19:00

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Maurice D. Hinchey

cc: The Honorable Michael Bloomberg, Mayor; William C. Thompson Jr., Comptroller, City of New York; Edward Jennings, Supervisor, Town of Wawarsing